

94. (New) The mass spectrometer of claim 90, wherein the timed ion selector comprises an ion deflector.

REMARKS

Status of the claims

Claim 1 is pending in the application. Applicant hereby adds claims 38-94 and cancels claim 1. Accordingly, after entry of this paper claims 38-94 will be pending for examination.

New claims

Applicant has added new claims 38-94. Support for these new claims is found throughout the specification. For example, support for new claim 38 is found at least at page 8, lines 28-91, page 9, lines 13-26, page 10, lines 23-27, page 12, lines 20-25, page 15, lines 7-8, and in Figure 2A and accompanying text. Support for claims 39-64 is found at least as follows: for claim 39 at least at page 9, lines 14-15; for claim 40 at least at page 21, lines 20-24 and in Figure 8 and accompanying text; for claims 41-45 at least at page 9, line 28 to page 10, line 4, and in Figure 2A (e.g., item numbers 16 and 52) and accompanying text, in Figure 4 and accompanying text, and original claims 13 and 14; for claim 46 at least in Figure 2A and accompanying text (e.g., item number 16); for claims 47-51 at least at page 8, line 21-22; page 20, line 24 to page 21, line 3, and in Figure 2A (e.g., item number 57), in Figure 7 and accompanying text; for claim 52 at least at page 10, lines 7-9, page 13, lines 19-24, and in Figure 3 and accompanying text (e.g., item number 90); for claims 53-55 at least at page 8, lines 11-14, page 24, lines 1-8, page 24, line 21 to page 25, line 2; for claims 56-60 at least at page 20, line 24 to page 21, line 3, and in Figure 2A and accompanying text (e.g., item number 16); for claims 61-62 at least at page 11, lines 23-28, page 14, line 29 to page 15, line 10; for claim 63 at least at page 11, lines 23-28, page 14, line 29 to page 15, line 10; for claim 64, page 10, lines 20-27, page 14, lines 10-16, and in Figure 3 and accompanying text (e.g., item number 92);

Support for new claim 65 is found at least at page 8, lines 28-91, page 9, lines 13-26, page 10, lines 23-27, page 12, lines 20-25, page 15, lines 7-8, and in Figure 2A and accompanying text, and at page 10, lines 7-9, page 13, lines 19-24, and in Figure 3 and accompanying text (e.g., item number 90). Support for claims 66-89 is found at least as

follows: for claim 66 at least at page 9, lines 14-15; for claim 67 at least at page 21, lines 20-24 and in Figure 8 and accompanying text; for claims 68-72 at least at page 9, line 28 to page 10, line 4, and in Figure 2A (e.g., item numbers 16 and 52) and accompanying text, and in Figure 4 and accompanying text, and original claims 13 and 14; for claim 73 at least in Figure 2A and accompanying text (e.g., item number 16); for claim 74-77 at least at page 8, line 21-22; page 20, line 24 to page 21, line 3, and in Figure 2A (e.g., item number 57); for claim 78 at least at page 10, lines 20-27, and in Figure 2A and accompanying text (e.g., item number 53); for claims 79-81 at least at page 8, lines 11-14, page 24, lines 1-8, page 24, line 21 to page 25, line 2; for claims 82-83 at least at page 10, lines 7-9, page 13, lines 19-24, and in Figure 3 and accompanying text (e.g., item number 90); for claims 84-88 at least at page 20, line 24 to page 21, line 3, and in Figure 2A and accompanying text (e.g., item number 16 and 68), and original claims 21 and 25; for claim 89 at least at page 11, lines 23-28, page 14, line 29 to page 15, line 10;

Support for new claim 90 is found at least at page 22, line 25 to page 23, line 8, and in Figure 9 and accompanying text. Support for claims 91-94 is found at least as follows: for claim 91 at least at page 12, lines 20-25; for claims 92-94 at least at page 22, line 25 to page 23, line 8 and in Figure 9.

Rejections Under 35 U.S.C. §112, second paragraph

Claim 1 was rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Without acquiescing to the rejection, Applicant has cancelled claim 1. As a result, Applicant submits that the rejections under 35 U.S.C. §112, second paragraph are now moot.

Rejections Under 35 U.S.C. §103

Claim 1 was rejected under rejected under 35 U.S.C. §103 as allegedly obvious over U.S. Patent Number 5,654,545 to Holle et al., in view of U.S. Patent No. 5,854,484 to Bergamann, U.S. Patent No. 5,206,508 to Alderdice et al., U.S. Patent No. 5,753,909 to Park et al., and U.S. Patent No. 6,011,259 to Whitehouse et al. Without acquiescing to the rejection, Applicant has cancelled claim 1. As a result, Applicant submits that the rejections under 35 U.S.C. §103 are now moot.

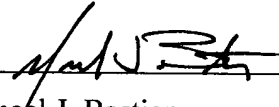
A Revocation of Powers of Attorney and Appointment of New Attorneys and Change of Correspondence Address is being filed concurrently herewith. All correspondence should be sent to Michael J. Bastian, Esq. at, Bowditch & Dewey, LLP, 161 Worcester Road, P.O. Box 9320, Framingham, Massachusetts 01701-9320.

CONCLUSION

In view of the amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone call would serve to clarify issues or expedite the prosecution of the application, the Examiner is invited to call the undersigned at (508) 416-2472.

Respectfully submitted,
BOWDITCH & DEWEY, LLP

By


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